
STATUTORY RULES OF NORTHERN IRELAND

1991 No. 77

**SOCIAL SECURITY
STATUTORY MATERNITY PAY;
STATUTORY SICK PAY; HOUSING**

The Social Security Benefits Up-
rating Order (Northern Ireland) 1991

Made - - - - 11th March 1991

Coming into operation in accordance with Article 1(1)

Whereas the Secretary of State for Social Security has made an order⁽¹⁾ under section 63 of the Social Security Act 1986⁽²⁾:

Now, therefore, the Department of Health and Social Services, in exercise of the powers conferred on it by Article 64 of the Social Security (Northern Ireland) Order 1986⁽³⁾ and of all other powers enabling it in that behalf, hereby makes the following order:

Part I

Citation and commencement

1. —

(1) This order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 1991 and shall come into operation for the purposes of—

- (a) Articles 1, 2 and 18 on 1st April 1991;
- (b) Article 9 on 6th April 1991;
- (c) Article 10 on 7th April 1991;
- (d) Articles 3 to 8 and 11 on 8th April 1991;
- (e) Articles 12 and 13 on 9th April 1991;

⁽¹⁾ S.I. 1991/503

⁽²⁾ 1986 c. 50

⁽³⁾ S.I. 1986/1888 (N.I. 18)

- (f) Articles 14, 15 and 16, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 8th April 1991, and for the purposes of this sub-paragraph and sub-paragraph (g) “benefit week” has the same meaning as in the Income Support Regulations;
- (g) Article 17(e), in so far as the sums specified are relevant for the purposes of paragraph 9(2)(a) of Schedule 3 to the Income Support Regulations, on the first day of the benefit week to commence for the beneficiary on or after 8th April 1991;
- (h) except in a case to which sub-paragraph (g) applies, Article 17 on 1st April 1991.
- (2) The increases made by this order in the sums specified for rates or amounts of benefit under the principal Act or the Pensions Order shall take effect for each case on the date specified in relation to that case in Article 5.

Interpretation

2. —

- (1) In this Order—

“the Order” means the Social Security (Northern Ireland) Order 1986;

“the Family Credit Regulations” means the Family Credit (General) Regulations (Northern Ireland) 1987(4);

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987(5);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987(6).

- (2) Any reference in this order to a numbered section is a reference to the section of the principal Act bearing that number.

PART II

SOCIAL SECURITY BENEFITS

Increase in rates or amounts of certain benefits under the principal Act

3. —

- (1) In this Article “Schedule 4” means Schedule 4 to the principal Act(7).

- (2) The sums specified in paragraph (3) shall be increased from and including the respective dates specified in Article 5; and Schedule 4 shall accordingly have effect as set out in Schedule 1.

(4) S.R. 1987 No. 463; the relevant amending rules are S.R. 1988 Nos. 131, 205, 303 and 423 and S.R. 1990 Nos. 33, 70, 137, 138, 297, 347 and 387

(5) S.R. 1987 No. 459; the relevant amending rules are S.R. 1988 Nos. 146, 193, 205, 274, 318 and 431, S.R. 1989 Nos. 139, 249, 326, 365, 366 and 395, S.R. 1990 Nos. 33, 70, 311, 137, 213, 297, 305, 346 and 387 and S.R. 1991 No. 46

(6) S.R. 1987 No. 461; the relevant amending rules are S.R. 1988 Nos. 117, 186, 314 and 424, S.R. 1989 Nos. 125, 26, 366 and 408, S.R. 1990 Nos. 33, 70, 72, 136, 137, 297, 305 and 345 and S.R. 1991 No. 47

(7) Schedule 4 was amended by Article 24(2) of, and paragraph 42 of Schedule 5 to, and Schedule 6 to, the Social Security Pensions (Northern Ireland) Order 1975 (S.I. 1975/1503 (N.I. 15)); paragraphs 35 and 36 of Schedule 4 to, and Schedule 5 to, the Child Benefit (Northern Ireland) Order 1975 (S.I. 1975/1504 (N.I. 16)); paragraph 13 of Schedule 1 to the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)); Part II of Schedule 4 to the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)); Schedule 5 to the Social Security (Northern Ireland) Order 1982 (S.I. 1982/1084 (N.I. 16)); paragraph 2 of Schedule 2 to, and Part II of Schedule 6 to, the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8)); Article 14(2) of, and Schedule 6 to, the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)); Article 37(2) of, and Schedule 10 to, the Social Security (Northern Ireland) Order 1986; Article 4(2) of the Social Security (Northern Ireland) Order 1990 (S.I. 1990/1511 (N.I. 15)) and S.R. 1990 No. 70

(3) The sums mentioned in paragraph (2) are the sums specified in Parts I, III, IV and V of Schedule 4 (contributory periodical benefits, non-contributory periodical benefits, increases for dependants and rate or amount of industrial injuries benefit, respectively), except the sum specified in the said Part III for age addition.

(4) The sums falling to be calculated under section 59B(5)(8) (calculation of weekly rate of retirement allowance) shall be increased from a date specified in Article 5 by 10.9 per cent. of their amount apart from this order.

Increase in rates or amounts of certain benefits under the Pensions Order

4. —

(1) The sums specified in paragraphs (2) and (3) shall be increased from and including the respective dates specified in Article 5.

(2) In Article 8(1)(a) of the Pensions Order (basic pension of Category A retirement pension)—

(a) so far as the sum is relevant for the purpose of calculating under section 14(6)(9) the rate of sickness benefit, for the sum of £45.00(10) there shall be substituted the sum of £49.90; and

(b) except so far as mentioned in sub-paragraph (a), for the sum of £46.90(10) there shall be substituted the sum of £52.00.

(3) It is hereby directed that the sums which are—

(a) the additional pensions in the rates of long-term benefits calculated by reference to any final relevant year earlier than the tax year 1990/1991;

(b) the increases in the rates of retirement pensions under Schedule 1 to the Pensions Order (increase of pension where pensioner's entitlement deferred); and

(c) payable to a pensioner as part of his Category A or Category B retirement pension by virtue of an order made under section 120(11) or Article 64 of the Order, corresponding to an order made by the Secretary of State under section 126A of the Social Security Act 1975(12) or section 63 of the Social Security Act 1986 respectively

shall in each case be increased by 10.9 per cent. of their amount apart from this order.

(4) Sums which are payable by virtue of Article 37(6) of the Pensions Order(13) (which provides for increases in a person's guaranteed minimum pension if payment of his occupational pension is postponed after he attains pensionable age) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of Article 38(3) of that Order(14), shall be increased by 7.9 per cent. of their amount apart from this order(15).

(8) Section 59B was inserted by Article 4(1) of the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2)); subsection (5) was amended by paragraph 8(5) of Schedule 1 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13))

(9) Section 14(6) was amended by paragraph 21(b) of Schedule 5 to the Social Security Pensions (Northern Ireland) Order 1975, paragraph 5 of Schedule 3 to the Social Security (Northern Ireland) Order 1979, paragraph 53 of Schedule 9 to the Social Security (Northern Ireland) Order 1986 and Schedule 9 to the Social Security (Northern Ireland) Order 1989

(10) See Article 4(2) of S.R. 1990 No. 70

(10) See Article 4(2) of S.R. 1990 No. 70

(11) Section 120 was amended by the Schedule to the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1997 (S.I. 1977/610 (N.I. 11)), paragraph 9 of Schedule 3 to the Social Security (Northern Ireland) Order 1979, Article 9(5) of the Social Security (Northern Ireland) Order 1985, Schedule 10 the Social Security (Northern Ireland) Order 1986 and Schedule 2 to the Redundancy Fund (Abolition) (Northern Ireland) Order 1991 (S.I. 1991/196 (N.I. 2))

(12) 1975 c. 14; section 126A was inserted by section 12 of the Social Security Act 1979 (c. 18) and repealed by Schedule 11 to the Social Security Act 1986

(13) Article 37(6) was amended by Article 4(2) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977

(14) Article 38(3) was substituted by Article 11(3)(b) of the Social Security (Northern Ireland) Order 1986

(15) See Article 64(4) of the Social Security (Northern Ireland) Order 1986 and the Guaranteed Minimum Pensions Increase Order (Northern Ireland) 1991 (S.R. 1991 No. 64)

Dates on which sums specified for rates or amounts of benefit under the principal Act or the Pensions Order are increased by this order

5. —

(1) Paragraphs (2) to (8), which are subject to the provisions of paragraph (9), specify the date on which the increases made by this order in the sums specified for rates or amounts of benefit under the principal Act or the Pensions Order shall take effect for each case.

(2) In relation to the case of a person over pensionable age whose entitlement to a Category A retirement pension is deferred and for whom the rate of unemployment benefit, sickness benefit or invalidity pension falls to be calculated in accordance with section 14(6) or 15(4)(16), the increases in the sums mentioned in Articles 3, 4 and 7 for Category A and Category B retirement pension and graduated retirement benefit (together with, where appropriate, increases for dependants) shall take effect on 11th April 1991 and in relation to all other cases the increases in such sums shall take effect on 8th April 1991

(3) The increases in the sums mentioned in Article 4(3)(c) and (4) shall take effect on 8th April 1991.

(4) The increases in the sums specified for the rate of maternity allowance(17), widowed mother's allowance, widow's pension, Category C and Category D retirement pension, child's special allowance(18), attendance allowance, invalid care allowance (except in a case where the Department has made arrangements for it to be paid on a Wednesday) (together with, where appropriate, increases for dependants), and guardian's allowance shall take effect in all cases on 8th April 1991.

(5) The increases in the sums specified for the rate of mobility allowance(19), invalid care allowance (in a case where the Department has made arrangements for it to be paid on a Wednesday) (together with, where appropriate, increases for dependants), disablement benefit (together with increases of disablement pension), maximum disablement gratuity under section 57(5)(20), industrial death benefit by way of widow's and widower's pension and allowance in respect of children (together with, where appropriate, increases for dependants and maximum, under section 91(1)(21), of the aggregate of weekly benefit payable for successive accidents, shall take effect in all cases from and including 10th April 1991.

(6) Where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 28(7)(22) or 29(8)(23), by reference to the weekly rate of invalidity allowance to which he was previously entitled, the increase in the sum specified for the appropriate rate of invalidity allowance shall take effect on 8th April 1991; and where it does not fall to be so increased the sum so specified shall take effect on 11th April 1991.

(16) Section 15(4) was amended by paragraph 22(c) of Schedule 5 to the Social Security Pensions (Northern Ireland) Order 1975, paragraph 1 of Schedule 1 to, and paragraph 6 of Schedule 3 to, the Social Security (Northern Ireland) Order 1979 and paragraph 53 of Schedule 9 to the Social Security (Northern Ireland) Order 1986

(17) Section 22 was substituted by paragraph 13 of Schedule 4 to the Social Security (Northern Ireland) Order 1986 and amended by paragraph 2 of Schedule 4 to the Social Security (Northern Ireland) Order 1988

(18) Child's special allowance is abolished except for existing beneficiaries as from 6th April 1987. See Article 41 of the Social Security (Northern Ireland) Order 1986.

(19) Section 37A was inserted by Article 24(1) of the Social Security Pensions (Northern Ireland) Order 1975 and was amended by Article 4 of the Social Security (Northern Ireland) Order 1979, Article 72(1) to (3) of, and Schedule 10 to, the Social Security (Northern Ireland) Order 1986 and by Article 10 of the Social Security (Northern Ireland) Order 1989

(20) Section 57(5) was repealed by Schedule 10 to the Social Security (Northern Ireland) Order 1986; but saved in certain circumstances by regulation 13 of S.R. 1986 No. 340.

(21) Section 91(1) was amended by paragraph 11 of Schedule 4 to, and Schedule 5 to, the Social Security (Northern Ireland) Order 1982

(22) Section 28(7) was amended by Article 3(3) of the Social Security (No. 2) (Northern Ireland) Order 1980 (S.I. 1980/1087 (N.I. 13)) and Article 11(2)(a) and (b) of the Social Security (Northern Ireland) Order 1985.

(23) Section 29(8) was amended by Article 11(3) of the Social Security (Northern Ireland) Order 1985.

(7) The increases in the sums specified for the rate of unemployment and sickness benefit, invalidity pension and severe disablement allowance(24) (together with, where appropriate, increases for dependants) shall take effect in all cases on 11th April 1991.

(8) The increase in the sums falling to be calculated in accordance with section 59B(5) shall take effect on 10th April 1991.

(9) In the case of a person who is subject to the provisions of regulations made under section 85(1)(b)(25) (adjustment of benefit for a person undergoing medical or other treatment as an in-patient in a hospital) the increase in the sum mentioned in Article 4(2)(b) shall take effect in that case on the day on which the increase in the benefit payable to him apart from those regulations takes effect.

Increase in rate of benefit under the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975

6. With effect from and including 10th April 1991 in section 2(6)(c) of the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975(26) (maximum weekly rate of lesser incapacity allowance supplementing workmen's compensation) for the sum of £28.20 there shall be substituted the sum of £32.25.

Increase in rate of graduated retirement benefit and increments thereof

7. —

(1) The sum of 6.14 pence referred to in section 35(1) of the National Insurance Act (Northern Ireland) 1966(27) (graduated retirement benefit) shall be increased by 10.9 per cent.; and accordingly, from and including 8th April 1991 the reference in that provision to that sum shall have effect as a reference to 6.81 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations (Northern Ireland) 1978(28) (increases for deferred entitlement to a Category A or Category B retirement pension) shall be increased by 10.9 per cent. of their amount apart from this order.

Sum specified for child benefit

8. In regulation 2 of the Child Benefit and Social Security (Fixing and Adjustment of Rates) Regulations (Northern Ireland) 1976(29) (weekly rates of child benefit)—

- (a) in paragraph (1), the sum specified is £7.25; and
- (b) in paragraph (2), the sum specified is £5.60.

Statutory sick pay

9. In Article 9(1) of the Social Security (Northern Ireland) Order 1982(30) (relationship between rates of statutory sick pay and employee's normal weekly earnings) the sums specified in paragraph (a) are £52.50 and £125.00 respectively and the sum specified in paragraph (b) is £39.25.

(24) Section 36 was substituted by Article 5(1) of the Health and Social Security (Northern Ireland) Order 1984 and amended by paragraph 2 of Schedule 4 to the Social Security (Northern Ireland) Order 1985, paragraphs 2(5) and 6 of Schedule 8 to, and Schedule 9 to, the Social Security (Northern Ireland) Order 1989 and paragraph 19(4) of Schedule 6 to the Social Security (Northern Ireland) Order 1990

(25) Section 85(1) was amended by paragraph 29 of Schedule 4 to the Child Benefit (Northern Ireland) Order 1975

(26) 1975 c. 17; see Article 6 of S.R. 1990 No. 70

(27) 1966 c. 6 (N.I.); section 35 was repealed by the Social Security Act 1973 (c. 38) but is continued in force by regulation 2 of S.R. 1978 No. 105 in the modified form set out in Schedule 1 to those regulations; see also Article 7 of S.R. 1990 No. 70

(28) S.R. 1978 No. 105; the relevant amending regulations are S.R. 1989 No. 373

(29) S.R. 1976 No. 223, the relevant amending rules are S.R. 1977 No. 248, S.R. 1980 No. 37 and S.R. 1990 No. 70

(30) S.I. 1982/1084 (N.I. 16); Article 9(1) was substituted by regulation 2 of S.R. 1990 No. 73

Statutory maternity pay

10. In regulations 6 of the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987⁽³¹⁾ (lower rate of statutory maternity pay) for the sum of £39.25 there shall be substituted the sum of £44.50

Earnings limits

11. The sums specified in section 41(2B)⁽³²⁾ (earnings limits in respect of child dependency increases) shall be increased from £100, £13 and £100 to £110, £14 and £110 respectively.

Part III

Family Credit, Income Support and Housing Benefit

Family credit

12. In the Family Credit Regulations—

- (a) in regulation 46(4) (determination of appropriate maximum family credit) the capital sum prescribed is £3,000;
- (b) in regulation 46(4), (5) and (6) the amount specified for the credit in respect of a child or young person is nil;
- (c) in regulation 47(1) (applicable amount of family credit) for the sum of £57.60 there shall be substituted the sum of £62.25; and
- (d) in paragraph 19(b) of Schedule 2 (sums to be disregarded in the calculation of income other than earnings) for the sum of £7.35 there shall be substituted the sum of 8.05.

Sums prescribed for the purpose of family credit

13. The sums prescribed in Schedule 4 to the Family Credit Regulations (determination of maximum family credit) shall be increased so as to have effect as set out in Schedule 2.

Applicable amounts for income support

14. —

(1) As from 8th April 1991 the sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in the following provisions of this Article and the Schedules thereto; and for this purpose references in this Article to a numbered regulation or Schedule are references to the regulation of, or Schedule to, the Income Support Regulations bearing that number.

(2) In regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii), (b)(ii) and (iii), (c)(ii) and (d)(i), and in paragraph 14(a) of Part III of Schedule 2 and paragraph 1(2) of Part I of Schedule 4, the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and accordingly that Part of Schedule 2 shall have effect as set out in Schedule 3 to this order.

⁽³¹⁾ [S.R. 1987 No. 30](#); the relevant amending rule is [S.R. 1990 No. 70](#)

⁽³²⁾ Section 41(2B) was inserted by paragraph 2(c) of Schedule 3 to the Health and Social Security (Northern Ireland) Order 1984; the relevant amending rule is [S.R. 1990 No. 70](#)—See [S.R. 1984 No. 381](#)

(4) In paragraph 3 of Part II of Schedule 2 (family premium) for the sum of £7.35 there shall be substituted the sum of £7.95.

(5) The sums specified in Part IV of Schedule 2 (weekly amounts of premiums) shall be increased; and accordingly that Part of Schedule 2 shall have effect as set out in Schedule 4 to this order.

(6) In paragraph 11(1) of Schedule 3 (housing costs: non-dependant deductions) for the sums of £10.85 and £4.55 there shall be substituted the sums of £13.50 and £5.70 respectively.

(7) In paragraph 11(2) of Schedule 3 for the sum of £56.05 there shall be substituted the sum of £62.15.

(8) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 4 (applicable amounts of persons in homes for persons in need and nursing homes) shall be increased; and accordingly those paragraphs in Schedule 4 where such a sum is specified shall have effect as set out in Part I of Schedule 5 to this order.

(9) Except as provided in paragraphs (2) and (8) of this Article, the sums specified in Schedule 4 are those set out in Part II of Schedule 5 to this order.

(10) Those sums relevant to the calculation of an applicable amount which are specified in Schedule 7 (applicable amounts in special cases) shall be increased; and accordingly those paragraphs in Schedule 7 where such a sum is specified shall have effect as set out in Part I of Schedule 6 to this order.

(11) Except as provided in paragraph (10), the sums specified in Schedule 7 are those set out in Part II of Schedule 6 to this order.

(12) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 7 to this order are the sums set out in column (2) of that Schedule.

(13) In paragraph 19 of Schedule 9 (sums to be disregarded in the calculation of income other than earnings) in sub-paragraph (b) for the sum of £7.35 there shall be substituted the sum of £8.05.

Income support transitional protection

15. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations (Northern Ireland) 1987⁽³³⁾ shall be increased by 8.1 per cent. of their amount apart from this order.

The relevant sum for income support

16. In Article 24(5)(b) of the Order⁽³⁴⁾ (trade disputes: the relevant sum) the substituted sum is £21.00.

Housing benefit

17. In the Housing Benefit Regulations, as from a date determined in accordance with Article 1—

- (a) in regulations 16(b) and 17(c) (applicable amounts), in so far as they relate to rent the sum specified in each regulation is £3,000;
- (b) in regulation 63(1) (non-dependant deductions) for the sums of £10.85 and £4.55 there shall be substituted the sums of £13.50 and £5.70 respectively;
- (c) in regulation 63(2) for the sum of £56.05 there shall be substituted the sum of £62.15;

⁽³³⁾ S.R. 1987 No. 460; the relevant amending regulations are S.R. 1988 Nos. 132 and 153 and S.R. 1989 No. 371

⁽³⁴⁾ Stated in accordance with Article 24(7) of the Social Security (Northern Ireland) Order 1986

- (d) in paragraph 1A of Part I of Schedule 1 (ineligible service charges) for the sums of £13.15, £13.15, £6.60, £8.75, £8.75, £4.35 and £1.60 there shall be substituted the sums of £14.20, £14.20, £7.15, £9.45, £9.45, £4.70 and £1.75 respectively; and
- (e) in paragraph 5(2) of Part II of Schedule 1 for the sums of £7.35, £0.90, £0.60 and £0.90 there shall be substituted the sums of £8.05, £1.00, £0.65 and £1.00 respectively.

Part IV Revocations

Revocations

18. —

(1) The following provisions are hereby revoked—

- (a) the whole of the Social Security Benefits Up-rating (No. 2) Order (Northern Ireland) 1987⁽³⁵⁾, in so far as not previously revoked; and
- (b) Articles 13 and 14 of, and Schedule 2 to, the Social Security Benefits Up-rating Order (Northern Ireland) 1989⁽³⁶⁾.

(2) Articles 3 to 11 and 14 to 17 of, and Schedules 1 and 3 to 7 to, the Social Security Benefits Up-rating Order (Northern Ireland) 1990⁽³⁷⁾ are hereby revoked in relation to any particular case on the day immediately preceding the day on which the rates or amounts of benefit specified in relation to that benefit in this order take effect in relation to that case.

Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

11th March 1991.

A. N. Burns
Assistant Secretary

⁽³⁵⁾ S.R. 1987 No. 458
⁽³⁶⁾ S.R. 1989 No. 18
⁽³⁷⁾ S.R. 1990 No. 70

SCHEDULE 1

Article 3(2)

Schedule 4 to the principal Act as amended by this order

“SCHEDULE 4

Rates of Benefits, Grants and Increases for Dependents

Part I

Contributory Periodical Benefits (ss. 14-31)

<i>Description of benefit</i>	<i>Weekly rate</i>
1. Unemployment or sickness benefit (section 14).	(a) unemployment benefit £41.40 (b) sickness benefit £39.60
3. Invalidity allowance (section 16).	(a) higher rate £11.10 (b) middle rate £6.90 (c) lower rate £3.45 (the appropriate rate being determined in accordance with section 16(2)(38)).
4. Maternity allowance (section 22).	£40.60
9. Category B retirement pension where section 29(7)(a)(i) applies.	£31.25
10. Child's special allowance (section 31).	£10.70

Part 1A(39)

Widow's Payment

Widow's payment (section 24). £1,000.00

Part III

NON-CONTRIBUTORY PERIODICAL BENEFITS (ss. 34.40)

<i>Description of benefit</i>	<i>Weekly rate</i>
1. Attendance allowance (section 35).	(a) higher rate £41.65 (b) lower rate £27.80

(38) Section 16(2) was amended by paragraph 10(a) of Schedule 1 to the Social Security (Northern Ireland) Order 1979
(39) Part IA of Schedule 4 was inserted by Article 37(2) of the Social Security (Northern Ireland) Order 1986

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<i>Description of benefit</i>	<i>Weekly rate</i>
	(the appropriate rate being determined in accordance with section 35(3)(40)).
2. Severe disablement allowance (section 36).	£31.25
2A. (41) Age related addition (section 36A).	(a) higher rate £11.10 (b) middle rate £6.90 (c) lower rate £3.45
	(the appropriate rate being determined in accordance with section 36A(1)(42)).
3. Invalid care allowance (section 37).	£31.25
3A. (43) Mobility allowance (section 37A)	£29.10
4. Guardian's allowance (section 38).	£10.70
5. Category C retirement pension (section 39).	(a) lower rate £18.70 (b) higher rate £31.25
	(the appropriate rate being determined in accordance with section 39(2)(44)).
5A. (45) Category D retirement pension (section 39).	The higher rate for Category C retirement pensions under paragraph 5 above.
6. Age addition (to a pension of any category, and otherwise under section 40).	£0.25

PART IV

INCREASES FOR DEPENDANTS (ss. 41-49)

<i>Benefit to which increase applies</i>	<i>Increase for qualifying child</i>	<i>Increase for adult dependant</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
	£	£
1. Unemployment sickness benefit—	or —	25.55
(a) unemployment benefit, where the		

(40) Section 35(3) was amended by Article 3(4) of the Social Security (Northern Ireland) Order 1979

(41) Paragraph 2A was inserted by article 4(2) of the Social Security (Northern Ireland) Order 1990

(42) Section 36A was inserted by Article 4(1) of the Social Security (Northern Ireland) Order 1990

(43) Paragraph 3A was inserted by Article 24(2) of the Social Security Pensions (Northern Ireland) Order 1975

(44) Section 39(2) was amended by Article 14(1)(a) of, and Schedule 6 to, the Social Security (Northern Ireland) Order 1985

(45) Paragraph 5A was inserted by Article 14(2) of the Social Security (Northern Ireland) Order 1985

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<i>Benefit to which increase applies</i>	<i>Increase for qualifying child</i>	<i>Increase for adult dependant</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
	<i>£</i>	<i>£</i>
beneficiary is under pensionable age		
(b) unemployment benefit, where the beneficiary is over pensionable age	10.70	31.25
(c) sickness benefit, where the beneficiary is under pensionable age	—	24.50
(d) sickness benefit, where the beneficiary is over pensionable age	10.70	29.95
2. Invalidity pension	10.70	31.25
3. Maternity allowance	—	24.50
5. Widowed mother's allowance	10.70	—
6. Category A or B retirement pension	10.70	31.25
7. Category C retirement pension	10.70	18.70
8. Child's special allowance	10.70	—
9. Severe disablement allowance	10.70	18.70
10. Invalid care allowance	10.70	18.70

Part V

Rate or Amount of Industrial Injuries Benefit

<i>Description of benefit, etc.</i>	<i>Rate or amount</i>
2. Maximum disablement gratuity under section 57(5).	£5,640.00
3. Disablement pension under section 57(6) (weekly rates).	For the several degrees of disablement set out in column (1) of the following Table, the respective amounts in that Table, using— (a) column (2) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant;

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<i>Description of benefit, etc.</i>	<i>Rate or amount</i>
	(b) column (3) for any period during which the beneficiary is not over the age of 18 and not so entitled:

TABLE

<i>Degree of Disablement</i> <i>(1)</i> <i>Per cent.</i>	<i>Amount</i> <i>(2)</i> <i>£</i>	<i>(3)</i> <i>£</i>
100	84.90	52.00
90	76.41	46.80
80	67.92	41.60
70	59.43	36.40
60	50.94	31.20
50	42.45	26.00
40	33.96	20.80
30	25.47	15.60
20	16.98	10.40

<i>Description of benefit, etc.</i>	<i>Rate or amount</i>
4. Unemployability supplement under section 58 (increase of weekly rate of disablement pension).	£52.00
5. Increase under section 59 of weekly rate of unemployability supplement (early onset of incapacity for work).	(a) if on the qualifying date the beneficiary was under the age of 35, or if that date fell before 5th July 1948 £11.10 (aa) if head (a) above does not apply and on the qualifying date the beneficiary was under the age of 40 and he had not attained pensionable age before 6th April 1979 £11.10 (b) if heads (a) and (aa) above do not apply and on the qualifying date the beneficiary was under the age of 45 £6.90 (bb) if heads (a), (aa) and (b) above do not apply and on the qualifying date the beneficiary was under the age of 50 and had not attained pensionable age before 6th April 1979 £6.90 (c) in any other case £3.45

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<i>Description of benefit, etc.</i>	<i>Rate or amount</i>
7. Maximum increase under section 61 of weekly rate of disablement pension where constant attendance needed.	(a) except in cases of exceptionally severe disablement £34.00 (b) in any case £68.00
8. Increase under section 63 of weekly rate of disablement pension (exceptionally severe disablement).	£34.00
10. Increase under section 64 of weekly rate of disablement pension (dependent children).	£10.70
12. Increase under section 66(2) of weekly rate of disablement pension (adult dependant).	£31.25
13. Widow's pension under section 68(46) (weekly rates)—	£57.65
(a) initial rate	
(b) higher permanent rate	£52.00
(c) lower permanent rate	30 per cent. of the higher of the sums specified in Article 8(1)(a) of the Pensions Order.
14. Widower's pension under section 69 (weekly rate).	£52.00
15. Weekly rate of allowance under section 70 in respect of children.	In respect of each qualifying child £10.70
16. Maximum under section 91(1) of aggregate of weekly benefit payable for successive accidents.	(a) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant £84.90 (b) for any period during which the beneficiary is not over the age of 18 and not so entitled £50.00"

(46) Section 68 was repealed by Schedule 10 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)) in relation to deaths occurring on or after 11th April 1988; see paragraph 2 of Schedule 1 to the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2))

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SCHEDULE 2

Article 13

Schedule 4 to the Family Credit Regulations as amended by this order

“SCHEDULE 4

Determination of maximum family credit, child and young person credits

<i>Adult, child, young person</i> <i>(1)</i>	<i>Amount of credit</i> <i>(2)</i>
1. Adult.	£38.30.
2. Child—	(a) £9.70;
(a) aged less than 11 years;	
(b) aged not less than 11 but less than 16 years.	(b) £16.10.
3. Young person—	(a) £20.05;
(a) aged not less than 16 but less than 18 years;	
(b) aged not less than 18 less than 19 years.	(b) £27.95.”

SCHEDULE 3

Article 14(3)

Part I of Schedule 2 to the Income Support Regulations as amended by this order

“SCHEDULE 2

Applicable Amounts

Part I

Personal Allowances

1. The weekly amounts specified in column (2) in respect of each person or couple specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17(1)(a) and 18(1)(a) and (b) (applicable amounts and polygamous marriages).

<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(1) Single claimant aged—	(a) (1) pound;23.65;
(a) except where head (b) or (c) applies, less than 18;	
(b) less than 18 who falls within any of the circumstances specified in Part II of Schedule 1A (circumstances	

<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
in which a person aged 16 or 17 is eligible for income support) or who, had he been a registered person, would fall within any of those circumstances, and who—	
(i) is eligible for income support under regulation 13A (persons under 18 years), or	
(ii) is the subject of a direction under Article 21(4A) of the Order (income support to avoid severe hardship) ⁽⁴⁷⁾ ;	(b) £31.15;
(c) less than 18 who satisfies the condition in paragraph 11(a);	(c) £31.15;
(d) not less than 18 but less than 25;	(d) £31.15;
(e) not less than 25.	(e) £39.65.
(2) Lone parent aged—	(a) (2) £23.65;
(a) except where head (b) or (c) applies, less than 18;	
(b) less than 18 who falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances, and who—	(b) £31.15;
(i) is eligible for income support under regulation 13A, or	
(ii) is the subject of a direction under Article 21(4A) of the Order;	
(c) less than 18 who satisfies the condition in paragraph 11(a);	(c) £31.15;
(d) not less than 18.	(d) £39.65.
(3) Couple—	(a) (3) £47.30;
(a) where both members are persons aged less than 18 and—	
(i) at least one of them is treated as responsible for a child,	
(ii) had they not been members of a couple, each would be eligible for income support under regulation 13A (persons under 18 years),	

⁽⁴⁷⁾ Article 21(4A) was inserted by Article 6(2) of the Social Security (Northern Ireland) Order 1988

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<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
<ul style="list-style-type: none"> (iii) they are married and each member is either a registered person or a person to whom Part I of Schedule 1A applies, (iv) there is a direction under Article 21(4A) of the Order in respect of one of them and the other is eligible for income support under regulation 13A; (v) there is a direction under Article 21(4A) of the Order (income support to avoid severe hardship) in respect of each member, or 	
<ul style="list-style-type: none"> (aa) where both members are aged less than 18 and sub-paragraph (3)(a) does not apply but one member of the couple falls within any of the circumstances specified in Part II of Schedule 1A or who, had he been a registered person, would fall within any of those circumstances, and that member— <ul style="list-style-type: none"> (i) is eligible for income support under regulation 13A, or (ii) is the subject of a direction under Article 21(4A) of the Order; 	<ul style="list-style-type: none"> (aa) £31.15;
<ul style="list-style-type: none"> (b) where both members are aged less than 18 and sub-paragraph (3)(a) or (aa) does not apply but one member of the couple— <ul style="list-style-type: none"> (i) is eligible for income support under regulation 13A, or (ii) is the subject of a direction under Article 21(4A) of the Order; 	<ul style="list-style-type: none"> (b) £23.65;
<ul style="list-style-type: none"> (c) where both members are aged not less than 18; 	<ul style="list-style-type: none"> (c) £62.25;
<ul style="list-style-type: none"> (d) where one member is aged not less than 18 and the other member is a person under 18 who— <ul style="list-style-type: none"> (i) is eligible for income support under regulation 13A, or 	<ul style="list-style-type: none"> (d) £62.25

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<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
(ii) is the subject of a direction under Article 21(4A) of the Order;	
(e) where one member is aged not less than 18 but less than 25 and the other member is a person under 18 who—	(e) £31.15;
(i) is not eligible for income support under regulation 13A, or	
(ii) is not the subject of a direction under Article 21(4A) of the Order;	
(f) where one member is aged not less than 25 and the other member is a person under 18 who—	(f) £39.65.
(i) is not eligible for income support under regulation 13A, and	
(ii) is not the subject of a direction under Article 21(4A) of the Order.	

2. The weekly amounts specified in column (2) in respect of each person specified in column (1) shall be the weekly amounts specified for the purposes of regulations 17(1)(b) and 18(1)(c).

<i>Column (1)</i> <i>Person or Couple</i>	<i>Column (2)</i> <i>Amount</i>
Person aged—	
(a) less than 11;	(a) £13.35;
(b) not less than 11 but less than 16;	(b) £19.75;
(c) not less than 16 but less than 18;	£23.65;
(d) not less than 18.	(d) £31.15.”

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SCHEDULE 4

Article 14(5)

Part IV of Schedule 2 to the Income Support Regulations as amended by this order

“Part IV

Weekly Amounts of Premiums Specified in Part III

<i>Premium</i>	<i>Amount</i>
15. —	(1) £4.45.
(1) Lone Parent Premium.	
(2) Pensioner Premium for persons aged under 75—	(a) (2) £13.75;
(a) where the claimant satisfies the condition in paragraph 9(a);	
(b) where the claimant satisfies the condition in paragraph 9(b).	(b) £20.90.
(2A) Pensioner Premium for persons aged 75 and over—	(a) (2A) £15.55;
(a) where the claimant satisfies the condition in paragraph 9A(a);	
(b) where the claimant satisfies the condition in paragraph 9A(b).	(b) £23.35.
(3) Higher Pensioner Premium—	(a) (3) £18.45;
(a) where the claimant satisfies the condition in paragraph 10(1)(a) or (b);	
(b) where the claimant satisfies the condition in paragraph 10(2)(a) or (b)	(b) £26.20.
(4) Disability Premium—	(a) (4) £16.65;
(a) where the claimant satisfies the condition in paragraph 11(a);	
(b) where the claimant satisfies the condition in paragraph 11(b).	(b) £23.90.
(5) Severe Disability Premium—	(a) (5) £31.25;
(a) where the claimant satisfies the condition in paragraph 13(2)(a);	
(b) where the claimant satisfies the condition in paragraph 13(2)(b)—	(b) (i) £31.25,
(i) if there is someone in receipt of an invalid care allowance or if he or any partner satisfies that condition only by virtue of paragraph 13(3A),	

<i>Premium</i>	<i>Amount</i>
(ii) if no one is in receipt of such an allowance.	(ii) £62.50.
(6) Disabled Child Premium.	(6) £16.65 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.
(7) Carer Premium.	(7) £10.80 in respect of each person who satisfies the condition specified in paragraph 14ZA.”

Schedule 5

Article 14(8) and (9)

Applicable Amounts of Persons in Homes for Persons in Need and Nursing Homes

Part 1

Provisions in Schedule 4 to the Income Support Regulations as amended by this order

Homes for persons in need

6. —

(1) Subject to sub-paragraph (2) and paragraph 8 to 10, where the accommodation provided for the claimant is a home for persons in need, for persons in need of personal care by virtue of—

- (a) age and infirmity, the appropriate amount shall be £160.00 per week;
- (b) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £170.00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £170.00 per week;
- (d) mental handicap, the appropriate amount shall be £195.00 per week;
- (e) physical disablement, the appropriate amount shall be—
 - (i) in the case of a person to whom paragraph 8 applies, £230.00 per week, or
 - (ii) in any other case £160.00 per week.

Nursing homes

7. Subject to paragraphs 8 to 10, where the accommodation provided for the claimant is a nursing home for persons in need of personal care by virtue of—

- (a) past or present mental disorder but excluding mental handicap, the appropriate amount shall be £255.00 per week;
- (b) mental handicap, the appropriate amount shall be £260.00 per week;
- (c) past or present drug or alcohol dependence, the appropriate amount shall be £255.00 per week;
- (d) physical disablement, the appropriate amount shall be—

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- (i) in the case of a person to whom paragraph 8 applies, £290.00 per week, or (ii) in any other case, £255.00 per week;
- (e) terminal illness, the appropriate amount shall be £275.00 per week; or
- (f) any condition not falling within sub-paragraphs (a) to (e), the appropriate amount shall be £255.00 per week.

Personal allowances

12. The allowances for personal expenses for the claimant and each member of his family referred to in paragraph 1(1)(b) shall be—

- (a) for the claimant £11.40; and, if he has a partner, for his partner, £11.40;
- (b) for a young person aged 18, £11.40;
- (c) for a young person aged under 18 but over 16, £7.95;
- (d) for a child aged under 16 but over 11, £6.85;
- (e) for a child aged under 11, £4.65.

Part II

Other sums specified in Schedule 4 to the Income Support Regulations

<i>Paragraph in Schedule 4</i>	<i>Specified Sum</i>
2(2)(b)(i) }	daily £1.10
2(2)(b)(ii) } (increases for meals)	daily £1.55
2(2)(b)(iii) }	daily £1.55
6(2) (pension age and above)	weekly £185.00

SCHEDULE 6

Article 14(10) and (11)

Applicable amounts in special cases

Part I

Provisions in Schedule 7 to the Income Support Regulations as amended by this Order

<i>Column (1)</i>	<i>Column (2)</i>
Patients	
1. Subject to paragraphs 2, 2A, 3 and 16, a person who has been a patient for a period of more than 6 weeks and who is—	(a) (a) £13.00 plus any amount applicable under regulation 17(1)(e), (f) or (g);
(a) a single claimant;	(b) £13.00 plus any amounts applicable to him under regulation 17(1)
(b) a lone parent;	(b), (c), (e), (f) or (g) or under

<i>Column (1)</i>	<i>Column (2)</i>
	regulation 17(1)(d) because of paragraph 8 or 14 of Schedule 2 (applicable amounts);
(c) (c) a member of a couple—	(c) (i) the amount applicable in respect of both of them under regulation 17(1) (applicable amounts) reduced by £10.40,
(i) where only one of the couple is a patient or, where both members of the couple are patients but only one has been a patient for that period,	(ii) £26.00, plus any amounts which may be applicable under regulation 17(1)(b), (c), (e), (f) or (g) or under regulation 17(1)(d) because of paragraph 14 of Schedule 2;
(ii) where both members of the couple have been a patient for that period;	
(d) (d) a member of a polygamous marriage—	(d) (i) the applicable amount under regulation 18 (polygamous marriages) shall be reduced by £10.40 in respect of each such member who is a patient,
(i) where at least one member of the polygamous marriage is not a patient or has not been a patient for more than that period,	(ii) the applicable amount shall be £13.00 in respect of each member plus any amounts applicable under regulation 18(1)(c), (d), (f), (g) or (h), or (e) because of his satisfying the condition specified in paragraph 14 of Schedule 2.
(ii) where all the members of the polygamous marriage have been patients for more than that period.	
2. A single claimant who has been a patient for a continuous period of more than 52 weeks, where—	(a) (a) Such amount (if any) not exceeding £10.40 as is reasonable having regard to the views of the hospital staff and the patient’s relatives if available as to the amount necessary for his personal use; or
(a) the following conditions are satisfied—	
(i) a person has been appointed to act for him under regulation 33 of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(48) (persons unable to act),	
(ii) his income support is payable to an administrative officer of the hospital or other institution either as or at the request of the person so appointed, and	
(iii) a registered medical practitioner treating him certifies that all or part of his income support	

(48) S.R. 1987 No. 465

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<i>Column (1)</i>	<i>Column (2)</i>
cannot be used by him or on his behalf; or	
(b) (b) those conditions are not satisfied.	(b) (b) £10.40.
2A. (49) A single claimant who is detained under the provisions of the Mental Health (Northern Ireland) Order 1986(50) and who immediately before his detention under that Order was a prisoner.	2A. £10.40.
3. Subject to paragraph 16—	
(a) a claimant who is not a patient and who is a member of a family of which another member is a child or young person who has been a patient for a period of more than 12 weeks; or	(a) (a) The amount applicable to him under regulation 17(1) or 18 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in column (1) of this paragraph shall be £10.40 instead of an amount determined in accordance with paragraph 2 of Schedule 2; or
(b) (b) where the person is a member of a family and paragraph 1 applies to him and another member of the family who is a child or young person has been a patient for a period of more than 12 weeks.	(b) (b) the amount applicable to him under paragraph 1 except that the amount applicable under regulation 17(1)(b) or 18(1)(c) in respect of the child or young person referred to in column (1) of this paragraph shall be £10.40 instead of an amount determined in accordance with paragraph 2 of Schedule 2.

Single claimants temporarily in accommodation provided by a Health and Social Services Board

10A. (51) Except where paragraph 10B(4)(51) applies, a single claimant who is temporarily in accommodation referred to in sub-paragraph (a) or (b) (excluding heads (i) and (ii) of those sub-paragraphs) of the definition of “residential accommodation” in regulation 21(3) (special cases).

10A. £52.00 of which £41.60 is in respect of the cost of the accommodation and £10.40 for personal expenses plus any amounts applicable under regulation 17(1)(e), (f) or (g).

Couples and members of polygamous marriages where one member is or all are temporarily in accommodation provided by a Health and Social Services Board

10B. —

10B. —

(1) A claimant who is a member of a couple and temporarily separated from his partner where one of them is living in the home while the other is in accommodation referred to in sub-paragraph (a) or (b) (excluding heads (i) and

(1) The aggregate of the amount applicable to the member who remains in the home calculated as if he were a single claimant under regulation 17(1), 19, or 21 and in respect of the other member, £52.00 of which £41.60 is in

(49) Paragraph 2A was inserted by regulation 19(b) of S.R. 1990 No. 131

(50) S.I. 1986/595 (N.I. 4)

(51) Paragraphs 10A and 10B were inserted by regulation 34(b) of S.R. 1988 No. 146

(51) Paragraphs 10A and 10B were inserted by regulation 34(b) of S.R. 1988 No. 146

<i>Column (1)</i>	<i>Column (2)</i>
(ii) of those sub-paragraphs) of the definition of “residential accommodation” in regulation 21(3) (special cases).	respect of the cost of the accommodation and £10.40 for personal expenses.
(2) A claimant who is a member of a polygamous marriage and who is temporarily separated from a partner of his where one is, or some are, living in the home while one is, or some are, in accommodation referred to in sub-paragraph (1).	(2) The aggregate of the amount applicable for the members of the polygamous marriage who remain in the home under regulation 18 and in respect of each member not in the home £52.00 of which £41.60 is in respect of the accommodation and £10.40 for personal expenses.
(3) A claimant who is a member of a couple or a member of a polygamous marriage where both members of that couple or all the members of that marriage are in accommodation referred to in sub-paragraph (1).	(3) For each member of that couple or marriage £52.00 of which £41.60 is in respect of the accommodation and £10.40 for personal expenses plus, if appropriate, the amount applicable under regulation 17(1)(e), (f) or (g) or 18(1)(f), (g) or (h).
(4) A claimant who is a member of a couple or of a polygamous marriage to whom regulation 16(1) (members of the household) does not apply by virtue of paragraph (3) (c) of that regulation where the member is in accommodation referred to in sub-paragraph (1).	(4) £52.00 of which £41.60 is in respect of the accommodation and £10.40 for personal expenses.
Lone parents who are in residential accommodation temporarily	
10C. (52) A claimant who is a lone parent who has entered residential accommodation temporarily.	10C. £52.00 of which £41.60 is in respect of accommodation and £10.40 for personal expenses plus— <ul style="list-style-type: none"> (a) in respect of each child or young person who is a member of his family, the amount in respect of him prescribed in paragraph 2(a), (b), (c) or (d) of Schedule 2 or under this Schedule as appropriate; and (b) any amount which would be applicable to the claimant if he were not temporarily living away from the dwelling occupied as his home, under regulation 17(1)(c), (e), (f) or (g), or (d) in so far as that amount relates to the lone parent premium under paragraph 8 of Schedule 2.
Persons in residential accommodation	
13. —	13. —
(1) Subject to sub-paragraph (2), a person in, or only temporarily absent from, residential accommodation who is— <ul style="list-style-type: none"> (a) a single claimant: 	(1) Any amount applicable under regulation 17(1)(f) or (g) or 18(1)(g) or (h), plus <ul style="list-style-type: none"> (a) £52.00 of which £41.60 is in respect of the cost of the residential

(52) Paragraph 10C was inserted by regulation 19(c) of S.R. 1988 No. 431

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<i>Column (1)</i>	<i>Column (2)</i>
(b) a lone parent; (c) one of a couple; (d) a child or young person; (e) a member of a polygamous marriage.	accommodation and £10.40 for personal expenses: (b) the amount specified in head (a) of this column; (c) twice the amount specified in head (a) of this column; (d) the appropriate amount in respect of him prescribed in paragraph 2 of Schedule 2; (e) the amount specified in head (a) multiplied by the number of members of the polygamous marriage in, or only temporarily absent from, that accommodation.
(2) A single claimant who has become a patient and whose residential accommodation was provided by and managed by the Department.	(2) Any amount applicable under regulation 17(1)(f) or (g), plus £10.40.
Persons in homes for persons in need, nursing homes, board and lodging accommodation or hostels who become patients	
16. A claimant to whom regulation 19 applies immediately before he or a member of his family became a patient where—	(a) (i) the amount which would be applicable under regulation 19 as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies.
(a) he or any member of his family has been a patient for a period of 6 weeks or less and the claimant—	
(i) continues to be liable to meet the weekly charge for the accommodation without reduction in respect of himself or that member of his family who is a patient.	(ii) the amount which would be applicable under regulation 19 having taken into account the reduced charge, as if the claimant or the member of the family who is a patient were resident in the accommodation to which regulation 19 applies.
(ii) continues to be liable to meet the weekly charge for the accommodation but at a reduced rate.	
(iii) is a single claimant and is likely to return to the accommodation, but has ceased to be liable to meet the weekly charge for that accommodation, or	(iii) the amount applicable to him (if any) under paragraph 2(2) of Schedule 4 plus the amount in respect of him as an allowance for personal expenses prescribed by paragraph 12 of Schedule 4 as if he were residing in the accommodation to which regulation 19

<i>Column (1)</i>	<i>Column (2)</i>
	applies plus any amount applicable under regulation 17(1)(f), or
(iv) is a single claimant who ceases to be liable to meet the weekly charge for the accommodation and who is unlikely to return to that accommodation;	(iv) the amount which would be applicable to him under regulation 17(1);
(b) (b) he or his partner has been a patient for a period of more than 6 weeks and the patient is— (i) a single claimant,	(b) (i) £13.00 plus any amount applicable under regulation 17(1)(f), plus either the amount prescribed in paragraph 14 in respect of any retaining fee he is liable to pay for the accommodation or the amount applicable under regulation 17(1)(e), but not both,
(ii) a lone parent,	(ii) where one or more children or young persons remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that where the lone parent is the patient no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 there shall be substituted £13.00, — where all the children or young persons are absent from the accommodation, £13.00 plus any amounts applicable to him under regulation 17(1)(b), (c), (d) or (f) plus (if appropriate) either the amount applicable under column (2) of paragraph 14(a) or the amount applicable under regulation 17(1)(e), but not both, — where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the lone parent patient, the amount specified in case one of column (2) of this head save that the child or young person who has been a patient for more than 12 weeks shall be

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<i>Column (1)</i>	<i>Column (2)</i>
	<p>disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £10.40;</p>
<p>(iii) one of a couple or polygamous marriage and one of that couple or marriage is not a patient or has been a patient for 6 weeks or less.</p>	<p>(iii) where the members of the family not patients remain in the accommodation, the amount applicable to the family as if regulation 19, having taken into account any reduction in charge, continued to apply to all the members of the family except that in respect of the member of the couple or polygamous marriage who has been a patient for more than 6 weeks no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 there shall be substituted £13.00,</p> <p>—where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons and the member of the couple or polygamous marriage remaining in the accommodation, the amount specified in case one of column (2) of this head save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £10.40.</p>
<p>(iv) one of a couple or polygamous marriage where all the members of that couple or marriage are patients and have been so for more than 6 weeks;</p>	<p>(iv) where there is no child or young person in the family £13.00 in respect of each member of the couple or polygamous marriage, plus any amount applicable under regulation 17(1)(f) or 18(1)(g), plus either the amount prescribed in paragraph 14 in respect of any retaining fee for the accommodation he is liable to pay or the amount applicable under regulation 17(1)(e) or 18(1)(f), but not both,</p> <p>— where there is a child or young person remaining in the accommodation, the amount which would be applicable in respect</p>

<i>Column (1)</i>	<i>Column (2)</i>
<p>(c) (c) a child or young person who has been a patient for a period of more than 12 weeks.</p>	<p>of the family as if regulation 19, having taken into account any reduction in charge continued to apply to all members of the family except that in respect of each member of the couple or polygamous marriage no amount shall be applicable in respect of him under paragraph 2(2) of Schedule 4 and for the amount in respect of the allowance for personal expenses prescribed by paragraph 12 of Schedule 4 in respect of each member there shall be substituted £13.00.</p> <ul style="list-style-type: none">— where there is a child or young person in the family but no child or young person remains in the accommodation, the amount applicable under column (2) of paragraph 1(c) or (d), as the case may be, plus either the amount applicable under column (2) of paragraph 14(a) or the amount applicable under regulation 17(1)(e) or 18(1)(f), but not both,— where one or more children or young persons are also patients and have been so for more than 12 weeks, in respect of those children and young persons remaining in the accommodation and the members of the couple or polygamous marriage, the amount specified in case 2 of column (2) of sub-paragraph (b) (iv) save that the child or young person who has been a patient for more than 12 weeks shall be disregarded as a member of the family in assessing the amount applicable under regulation 19, and in respect of each such child or young person there shall be added £10.40; <p>(c) (c) the amount applicable under regulation 19 as if that child or young person was not a member of the family plus an amount of £10.40 in respect of that child or young person.</p>

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Part II

Other sums specified in Schedule 7 to the Income Support Regulations

<i>Paragraph in Column (2) of Schedule 7</i>	<i>Specified Sum</i>
7 (members of religious orders)	Nil;
8 (prisoners)	Nil;
14 (persons temporarily absent from board and lodging accommodation or a hostel, home for persons in need or nursing home)	80 per cent.;
15 (persons from abroad)	Nil.

SCHEDULE 7

Article 14(12)

Other applicable amounts specified in the Income Support Regulations

<i>Provisions in Income Support Regulations</i>	<i>Specified Sum</i>
Regulation 22(1)	Weekly applicable amount to be reduced by a sum equivalent to 40 per cent. of the relevant amount.
Regulation 22(2)(a)	£200.
Regulation 22(2)	Weekly applicable amount to be reduced by a sum equivalent to 20 per cent. of the relevant amount.
Regulation 71(1)(a)(i)	90 per cent. of the amount applicable or, as the case may be, of the reduced amount.
Regulation 71(1)(b)(i)	90 per cent. of the amount of the allowance for personal expenses or, as the case may be, of the reduced amount.
Regulation 71(1)(c)(i)	90 per cent. of the amount in respect of personal expenses.
Regulation 71(1)(c)(iii)	80 per cent. of the applicable amount in special cases.
Regulation 71(1)(d)(53)	90 per cent. of the applicable amount.
Schedule 3, paragraph 7(1)(a) and (b)(i) and (2)	100 per cent. of the eligible interest.
Schedule 3, paragraph 7(1)(b)(ii), (2)(a)(ii) and (6)	50 per cent. of the eligible interest.
Schedule 3, paragraph 7(4)	The weekly amount of the eligible interest is the amount calculated by the formula

(53) Paragraph (1)(d) was added by regulation 26(b) of S.R. 1988 No. 146

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<i>Provisions in Income Support Regulations</i>	<i>Specified Sum</i>
	$A \times B$
	<hr/>
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EXPLANATORY NOTE

(This note is not part of the Order).

This order, which corresponds to an order (S.I. 1991/503) made by the Secretary of State for Social Security under section 63 of the Social Security Act 1986, increases the rates and amounts of certain social security benefits and other sums.

Part II relates to non means-tested benefits. Article 3 and Schedule 1 increase the rates of benefits and increases of benefit (except age addition) specified in Parts I, III, IV and V of Schedule 4 to the Social Security (Northern Ireland) Act 1975 (“the principal Act”). Article 4 increases the rates and amounts of certain benefits under Part III of Social Security Pensions (Northern Ireland) Order 1975 (“the Pensions Order”) (including increases of Category A or Category B retirement pension payable by reference to the increases of increments in guaranteed minimum pensions payable by virtue of Article 37(6) of that Order); Article 5 specifies the dates from which the sums specified for rates or amounts of benefit under the principal Act or the Pensions Order are increased. Article 6 increases the rate laid down in the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975 for the maximum weekly rate of lesser incapacity allowance supplementing workmen’s compensation. Article 7 increases the rate of graduated retirement benefit under the National Insurance Act (Northern Ireland) 1966.

Article 8 specifies the weekly rate of child benefit and one-patient benefit. Article 9 specifies the weekly rates of statutory sick pay. Article 10 increases the lower rate of statutory maternity pay and Article 11 specifies earnings limits for child dependency increases.

Part III of the order relates to family credit, income support and housing benefit. Article 12 sets out the applicable amount for family credit and other miscellaneous amounts. Article 13 and Schedule 2 specify the amount of the credits for an adult, child and young person which determines a family’s maximum family credit.

Article 14 states the amount of sums relevant to the applicable amount for the purposes of income support. Article 14(3) and Schedule 3 set out the personal allowances; Article 14(5) and Schedule 4 set out the premiums; Article 14(8) and (9) and Schedule 5 set out the amounts relevant to the beneficiaries in homes for persons in need and nursing homes; Article 14(10) and (11) and Schedule 6 set out the amounts relevant to special cases; and Article 14(12) and Schedule 7 set out other miscellaneous amounts. Article 15 provides for the percentage increase of sums payable by way of special transitional additions to income support. Article 16 states the sum by which any income support of a person involved in a trade dispute is reduced. Article 17 increases various sums relevant to the calculation of housing benefit.

Article 18 revokes the Social Security Benefits Up-rating (No. 2) Order (Northern Ireland) 1987 (in so far as not previously revoked) and Articles 13 and 14 of, and Schedule 2 to the Social Security Benefits Up-rating Order (Northern Ireland) 1989 and Articles 3 to 11 and 14 to 17 of, and Schedule 1 and 3 to 7 to, the Social Security Benefits Up-rating Order (Northern Ireland) 1990.

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